



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of: Heinonen et al.

SERIAL NO.: 09/263,402 ART UNIT: 2685

FILED: 03/05/99 EXAMINER: Davis, T.

TITLE: A SYSTEM FOR PERFORMING ENVIRONMENTAL MEASUREMENTS
AND FOR TRANSFERRING MEASUREMENT RESULTS

ATTORNEY DOCKET NO.: 442-008516-US (PAR)

Commissioner of Patents
Washington, DC 20231

DECLARATION UNDER 37 C.F.R. 1.131

We, Pekka Heinonen and Harri Okkonen, the inventors of the above identified United States patent application, hereby declare that:

We conceived the invention set forth in the claims of said U.S. patent application in Finland, which is a WTO country, at a time prior to February 9, 1998, which date is the filing date of Grube U.S. patent 6,031,455 used by the examiner in rejecting claims of said U.S. application under 35 U.S.C. 103 as set forth in an Office Action dated January 22, 2002.

Said invention is disclosed in the text and figures of a patent application filed in Finland on March 9, 1998 and identified by application number 980538.

A certified copy of said Finnish application written in the Finnish language, and a certified translation thereof

written in the English language were filed in the United States Patent and Trademark Office, accompanying the papers in the filing of said U.S. application, and accordingly, the Finnish application and its translation have not been attached hereto as an exhibit.

The textual portion and the figures of said Finnish application describing said invention have been in existence from a time prior to February 9, 1998.

During the period extending from a time prior to February 9, 1998 until March 9, 1998, Folke Johansson, who works in the Intellectual Property Rights department of Nokia Corporation which is the assignee of said U.S. application, attended to the performance of tasks in Finland relating to the filing of the Finnish application, these tasks including the adding of further details of the technical implementation of said invention and the drafting of new claims describing said invention.

We believe that the description set forth in said textual portion and said figures of said Finnish application show conception of said invention at a time prior to February 9, 1998, and that said tasks performed by Folke Johansson during said period extending from the time prior to February 9, 1998 until March 9, 1998 with the filing of the Finnish application on March 9, 1998 followed by the subsequent filing of said U.S. application on March 5, 1999 claiming priority in the Finnish application show diligence from the time prior to February 9, 1998 until the filing of said U.S. application.

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And we believe further that that this showing of conception prior to the filing date of Grube U.S. patent 6,031,455 with diligence until the filing of said U.S. application overcomes the aforementioned rejection under 35 U.S.C. 103 so as to secure allowance of the claims in said U.S. application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Respectfully submitted,



Pekka Heinonen

May 22, 2002

Date

and

Harri Okkonen

Date